



29 July 1988

OCA 2530-88

MEMORANDUM FOR: Chief, Administrative Law Division, OGC

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FROM: [redacted] Legislation Division
Office of Congressional Affairs

SUBJECT: Foreign Agents Registration Improvement Act
of 1988, S. 1268

1. On 25 July 1988, the Senate passed by unanimous consent the above-captioned bill (attached). The bill substitutes the term "advocacy material" for "political propaganda" throughout the current act. The Office of Management and Budget (OMB) has asked for our comments.

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2. In order to comply with OMB's request in a timely manner, please respond [redacted] no later than 1 August 1988.



Attachment

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OCA/LEG, [redacted] (29 July 1988)

Distribution:

Original - Addressee

1 - OCA Registry

1 - RMH Signer

1 - CCA Read

July 25, 1988

CONGRESSIONAL RECORD — SENATE

1983

ENVIRONMENT AND PUBLIC WORKS COMMITTEE ALLOCATIONS PURSUANT TO SECTION 302(b) OF THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974

Mr. BURDICK. Mr. President, I ask that a statement entitled Environment and Public Works Committee, Allocations Pursuant to Section 302(b) of the Congressional Budget and Impoundment Control Act of 1974 be printed at this point in the RECORD.

The statement follows:

ENVIRONMENT AND PUBLIC WORKS COMMITTEE, ALLOCATIONS PURSUANT TO SECTION 302(b) OF THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974

The Committee on Environment and Public Works received the following estimated allocations for fiscal year 1989:

Direct spending:	Millions
Budget authority.....	\$15,156
Outlays.....	1,335
Credit authority.....	249
Allocations to the subcommittees are as follows:	
Water Resources, Transportation and Infrastructure Subcommittee:	
Budget authority.....	13,937
Outlays.....	154
Environmental Protection Subcommittee:	
Budget authority.....	361
Outlays.....	352
Nuclear Regulations Subcommittee:	
Budget authority.....	858
Outlays.....	829
Credit.....	249

RACINE AREA VFW BASEBALL TEAM

• Mr. KASTEN. Mr. President, I rise today to offer my best wishes to the Racine Area VFW Baseball Team. This team is made up of young men 15 years old and under from J.I. Case, Washington Park, and St. Catherine's High Schools in Racine—and these youngsters are about to represent Wisconsin in the Continental Amateur Baseball Association World Series in Cedar Rapids, IA.

All these players have worked very hard for the right to play in this World Series. They have built on a winning approach—the principle that working hard and doing your best makes you a winner. And once you become a winner in your heart, winning on the scoreboard can't be far behind.

To the players, to coach Peter Di Gaudio, and to all their families and fans in the Racine area, I wish the best of luck in the World Series. You're already champions as far as we're concerned.●

DOCUMENTATION OF CERTAIN VESSELS

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Order No. 794, S. 2417.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 2417) to authorize a certificate of documentation for certain vessels.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 2659

Mr. BYRD. Mr. President, on behalf of Mr. HOLLINGS, I send to the desk a substitute amendment.

The PRESIDING OFFICER. The substitute amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] for Mr. HOLLINGS, proposes an amendment numbered 2659.

Mr. BYRD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike all after the enacting clause, and insert the following:

That notwithstanding sections 12105, 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation for the following vessels: Scotch N Water (ex Victorious), United States official number 264090; ERSA, United States official number 229511; Compass Rose III, United States official number 559647; and M/V Polar Ice, United States official number 604676.

Sec. 2. Notwithstanding sections 508 and 510(g) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1158 and 1160(g)), section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), and United States Department of Transportation Contract Numbered MA-3915 and amendments thereto, the Secretary of Transportation is authorized to allow, and the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation for, the vessel M/V Ocean Cyclone (ex Coastal Spartan), United States official number 248959, to acquire, purchase, process, and transport fish and fish products in the fisheries of the United States: *Provided*, That if the vessel is scrapped, it shall not be scrapped other than in the domestic market without the prior approval of the Secretary of Transportation.

Sec. 3. Notwithstanding sections 508 and 510(g) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1158 and 1160(g)), and United States Department of Transportation Contract Numbered MA-6772 (IFB PD-X-945) and amendments thereto, the Secretary of Transportation is authorized to allow, and the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation for, the vessel M/V Ocean Tempest (ex Horseshoe Splice), United States official number 248773, to acquire, purchase, process, and transport fish and fish products in the fisheries of the United States: *Provided*, That if the vessel is scrapped, it shall not be scrapped other than in the domestic market without the prior approval of the Secretary of Transportation.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2659) was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 2417) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I ask unanimous consent that Calendar Order Nos. 791, 792, 793, and 795 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN AGENTS REGISTRATION IMPROVEMENT ACT

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 799.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 1268) to amend the Foreign Agents Registration Act of 1938 (22 U.S.C.) by removing references to "political propaganda" and substituting "advocacy materials".

The PRESIDING OFFICER. Is there objection to the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof, the following:

That this Act may be cited as the "Foreign Agents Registration Improvement Act of 1988".

Sec. 2. (a) Section 1(j) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(j)) is amended by striking out "propaganda" and inserting in lieu thereof "advocacy material".

(b) Section 1(o) of such Act is amended by striking out "propaganda" and inserting in lieu thereof "advocacy material".

(c)(1) Section 4 of such Act (22 U.S.C. 614(a)) is amended by striking out in the section heading "Propaganda" and inserting in lieu thereof "Advocacy Material".

(2) Section 4(a) of such Act is amended—
(A) by striking out "propaganda" and inserting in lieu thereof "advocacy material"; and

(B) by striking out "and a statement, duly signed by" and all that follows through "transmittal".

(3) Section 4(b) of such Act is amended—
(A) by striking out "propaganda" each time it appears and inserting in lieu thereof "advocacy material";

(B) by striking out "registered under this Act with the Department of Justice, Washington, District of Columbia, as";

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(C) by striking out "and address"; and
(D) by striking out "; that, as required by this Act, his registration statement" and all that follows through "as may be appropriate".

(d) Section 4(c) of such Act is amended by striking out "propaganda" and inserting in lieu thereof "advocacy material".

(e) Section 4(e) of such Act is amended by striking out "propaganda" each of the two places it appears and inserting in lieu thereof "advocacy material".

(f)(1) Section 6(a) of such Act (22 U.S.C. 616(a)) is amended—

(A) by striking out in the first sentence "all statements concerning the distribution of political propaganda furnished" and inserting in lieu thereof "other filings made"; and

(B) by striking out in the second sentence "statements" and inserting in lieu thereof "filings".

(2) Section 6(b) of such Act is amended by striking out "propaganda" and inserting in lieu thereof "advocacy material".

(3) Section 6(c) of such Act is amended by striking out "propaganda" and inserting in lieu thereof "advocacy material".

(g) Section 8(a)(2) of such Act (22 U.S.C. 618(a)(2)) is amended by striking out "or in any statement under section 4(a) hereof concerning the distribution of political propaganda".

(h) Section 11 of such Act (22 U.S.C. 621) is amended by striking out "propaganda" and inserting in lieu thereof "advocacy material".

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 1268) was passed.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDERS FOR TOMORROW

ADJOURNMENT UNTIL 10:30 A.M.

Mr. BYRD. I ask unanimous consent that when the Senate completes its business today, it stand in adjourn-

ment until the hour of 10:30 tomorrow morning.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RESOLUTIONS AND MOTIONS OVER, UNDER THE RULE

Mr. BYRD. Mr. President, I ask unanimous consent that on tomorrow no motions or resolutions over, under the rule, come over.

The PRESIDING OFFICER. Without objection, it is so ordered.

CALL OF CALENDAR WAIVED

Mr. BYRD. Mr. President, I ask unanimous consent that on tomorrow the call of the calendar be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that after the two leaders are recognized on tomorrow there be a period for morning business not to extend beyond the hour of 11 o'clock a.m. and that Senators may speak therein for not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10:30 A.M.,
TUESDAY, JULY 26, 1988

Mr. BYRD. Mr. President, if there be no further business to come before the Senate I move, in accordance with the order previously entered, that the Senate stand in adjournment until the hour of 10:30 tomorrow morning.

The motion was agreed to, and, at 6:47 p.m., the Senate adjourned until Tuesday, July 26, 1988, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate July 25, 1988:

DEPARTMENT OF JUSTICE

RICHARD L. THORNBURGH, OF PENNSYLVANIA, TO BE ATTORNEY GENERAL.

THE JUDICIARY

ROBERT LEON JORDAN, OF TENNESSEE, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE, VICE ROBERT L. TAYLOR, RETIRED.

UNITED NATIONS

VERNON A. WALTERS, OF FLORIDA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 43D SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

INTERNATIONAL ATOMIC ENERGY AGENCY

JOSEPH P. SALGADO, OF CALIFORNIA, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 32D SESSION OF THE GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

U.S. INTERNATIONAL DEVELOPMENT
COOPERATION AGENCY

CAROL C. ADelman, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE CHARLES W. GREENLEAF, JR., RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

JOSE A. COSTA, JR., OF FLORIDA, TO BE A MEMBER OF THE ADVISORY BOARD FOR RADIO BROADCASTING TO CUBA FOR A TERM EXPIRING OCTOBER 27, 1990, VICE JOSE LUIS RODRIGUEZ, TERM EXPIRED.

THE JUDICIARY

MILDRED M. EDWARDS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF 15 YEARS, VICE FRANK E. SCHWELB, ELEVATED.

NATIONAL ADVISORY COUNCIL ON EDUCATIONAL
RESEARCH AND IMPROVEMENT

ROBERT H. MATTSON, OF OREGON, TO BE A MEMBER OF THE NATIONAL ADVISORY COUNCIL ON EDUCATIONAL RESEARCH AND IMPROVEMENT FOR A TERM EXPIRING SEPTEMBER 30, 1991 (REAPPOINTMENT).

NATIONAL FOUNDATION ON THE ARTS AND THE
HUMANITIES

DONALD KAGAN, OF CONNECTICUT, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 1994, VICE GERTRUDE HIMMELFARB, TERM EXPIRED.

NATIONAL SCIENCE FOUNDATION

THE FOLLOWING-NAMED PERSONS TO BE MEMBERS OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR TERMS EXPIRING MAY 10, 1994:

D. ALLAN BROMLEY, OF CONNECTICUT, VICE CHARLES E. HESS, TERM EXPIRED.
DANIEL C. DRUCKER, OF FLORIDA, VICE WILLIAM F. MILLER, TERM EXPIRED.

DEPARTMENT OF DEFENSE

MILTON L. LOHR, OF CALIFORNIA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR ACQUISITION (NEW POSITION).

IN THE NAVY

THE FOLLOWING-NAMED OFFICER, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601, TO BE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY DESIGNATED BY THE PRESIDENT UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

REAR ADM. JAMES D. WILLIAMS, 242-50-2818/1120, U.S. NAVY.

THE FOLLOWING-NAMED OFFICER OF THE U.S. NAVY FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL (LOWER HALF) WHILE SERVING AS ASSISTANT JUDGE ADVOCATE GENERAL OF THE NAVY UNDER TITLE 10, UNITED STATES CODE, SECTION 5149(b):

CAPT. WILLIAM L. SCHACHTE, JR., 247-58-1337/2500, JUDGE ADVOCATE GENERAL'S CORPS, U.S. NAVY.

WITHDRAWAL

Executive message, transmitting a withdrawal of a nomination from further Senate consideration, received on July 25, 1988:

IN THE NAVY

CAPT. WILLIAM L. SCHACHTE, JR., 247-58-1337/2500, JUDGE ADVOCATE GENERAL'S CORPS, U.S. NAVY, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5149(b), TO BE ASSIGNED AS ASSISTANT JUDGE ADVOCATE GENERAL OF THE NAVY.